

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Shun-Por Li et al. Confirmation No.: 5595
Application No.: 10/695,347 Group No.: 1626
Filed: October 28, 2003 Examiner: Jason Michael Nolan
For: BURST-RELEASE POLYMER COMPOSITION AND DOSAGE
FORMS COMPRISING THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Disclosure Letter
Patent Term Adjustment Determination
37 CFR 1.705

Upon review of the Issue Notification mailed November 3, 2010, applicant reviewed the USPTO's PTA calculation of 1082 days. In compliance with the practitioner's duty of candor and good faith in practice before the Office, applicant wishes to disclose that the PTA of 1082 days calculated by the USPTO may be longer than appropriate.

It appears that the USPTO may have improperly calculated the period of adjustment which should be reduced for the period beginning on the date of reply after non-final(July 1, 2010) and ending on the date of mailing of the information disclosure statement (September 3, 2010). Applicant believes that there may be an additional 64 days of applicant delay for this abandonment period.

Therefore there may be as many as 172 days of applicant delay to be deducted from the 1190 days of PTO delay for a total Patent Term Adjustment of 1018 days, not the 1082 days which the PTO has calculated.

Applicant respectfully requests that this letter be placed in the file of the application.

Date: <u>May 20, 2011</u>	<u>/Laura A. Donnelly/</u>
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CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that, on the date shown below, this correspondence is being transmitted to the USPTO via the electronic filing system in accordance with 37 CFR 1.6(a)(4)

Date: May 20, 2011

/Jennifer Rishko/
Signature
Jennifer Rishko, Patent Paralegal
(type or print name of person certifying)